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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)		Application Number	Patent#: 6,984,395
		Filing Date	Issued: January 10, 2006
		First Named Inventor	Ronald Erwin BOCH
		Art Unit	1615
		Examiner Name	G. S. Kishore
Total Number of Pages in This Submission	4	Attorney Docket Number	273012011300

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Reply to Missing Parts/Incomplete Application  <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____  <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Request for Certificate of Correction (2 pages) Proposed Certificate of Correction (1 page) Return Receipt Postcard
<div>Remarks</div> <div><b>Customer No. 25225</b></div> <div><b>Certificate of Correction</b> FEB 26 2007</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	MORRISON & FOERSTER LLP		
Signature			
Printed name	Laurie L. Hill		
Date	February 14, 2007	Reg. No.	51,804

I hereby certify that this paper is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Attention: Certificate of Correction Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
Dated: February 14, 2007	Signature: <u>Judy Bridgewater</u> (Judy Bridgewater)

FEB 27 2007

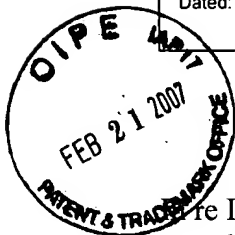
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Dated: February 14, 2007

Signature:

*Judy Bridgewater*  
(Judy Bridgewater)

Docket No.: 273012011300  
(PATENT)



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Letters Patent of:  
Ronald Erwin BOCH et al.

Patent No.: 6,984,395

Issued: January 10, 2006

For: DRUG DELIVERY SYSTEM FOR  
HYDROPHOBIC DRUGS

### REQUEST FOR CERTIFICATE OF CORRECTION PURSUANT TO 37 CFR 1.322

Attention: Certificate of Correction Branch  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With this request, we petition the Office for a Certificate of Correction for U.S. Patent No. 6,984,395 to correct an error made in the claims by the Office.

Upon review of the above-identified patent, Patentee noted an error made by the Office in the claims which should be corrected. More specifically, claim 1 as issued reads:

A composition comprising micelles, said micelles comprising saturated and unsaturated phospholipids and one or more hydro-monobenzo-porphyrin photosensitizer wherein the micelles in the composition have an average diameter below about 100 nm.

Claim 1 of U.S. Patent No. 6,984,395 was prosecuted as claim 21 in the underlying application. According to the Examiner's amendment accompanying the Notice of Allowance dated

July 5, 2005, the term "comprising" on line 1 of claim 1 was deleted and "consisting essentially of" was introduced. *See* Notice Allowance at page 2, item 1. Applicants' counsel agreed to this amendment in a telephonic interview on June 23, 2005. Therefore, claim 1 should read:

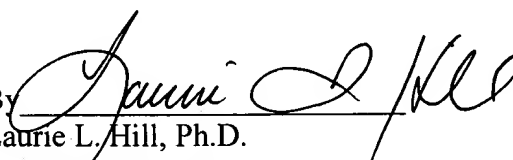
A composition "comprising" --consisting essentially of-- micelles, said micelles comprising saturated and unsaturated phospholipids and one or more hydro-monobenzo-porphyrin photosensitizer wherein the micelles in the composition have an average diameter below about 100 nm.

Applicants request that a certificate of correction be issued to correct this error or in the alternative, request that a corrected patent be issued at no cost to the patentee. 37 C.F.R. § 1.322(b).

As the error was not in the application as filed by applicant; it is believed that no fee is required. However, in the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 273012011300.

Dated: February 14, 2007

Respectfully submitted,

By   
Laurie L. Hill, Ph.D.  
Registration No.: 51,804  
MORRISON & FOERSTER LLP  
12531 High Bluff Drive, Suite 100  
San Diego, California 92130-2040  
(858) 720-7945

UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION

Page 1 of 1

PATENT NO. : 6,984,395  
APPLICATION NO. : 09/833,406  
ISSUE DATE : January 10, 2006  
INVENTOR(S) : Ronald Erwin BOCH et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In the Claims, at column 34, Claim 1, please correct the following:

1. A composition "comprising" **--consisting essentially of--** micelles, said micelles comprising saturated and unsaturated phospholipids and one or more hydro-monobenzo-porphyrin photosensitizer  
wherein the micelles in the composition have an average diameter below about 100 nm.

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Laurie L. Hill, Ph.D.  
MORRISON & FOERSTER LLP  
12531 High Bluff Drive, Suite 100  
San Diego, California 92130-2040